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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/824,248	04/03/2001	Koichi Sato	P20491	1314
7055	7590	09/27/2004	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			JELINEK, BRIAN J	
			ART UNIT	PAPER NUMBER
			2615	

DATE MAILED: 09/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/824,248

Applicant(s)

SATO, KOICHI

Examiner

Brian Jelinek

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ☒
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/10/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

This is a first office action in response to application no. 09/824,248 filed on 4/3/2001 in which claims 1-8 are presented for examination.

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Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

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Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Anderson (U.S. Pat. No. 6,362,850).

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Regarding claim 1, Anderson teaches a continual-image processing device (Fig. 1) comprising: a continual-image determination processor that determines whether a plurality of images are obtained in a continual photographing operation (col. 12, lines 29-36; Fig. 1, element 112) because the computer of the digital video camera plays a media object according to its type, i.e. as a conventional movie for a video segment. Furthermore, Anderson teaches an image processor that continually performs a

common operation on the plurality of images when it is determined by the continual-image determination processor that the plurality of images are obtained in the continual photographing operation (col. 12, lines 35-36; Fig. 1, element 112).

Regarding claim 2, Anderson teaches the image processor continually
5 reproduces the plurality of images (col. 12, lines 35-36).

Regarding claim 3, Anderson teaches the image processor continually reproduces the plurality of images at a same interval as that of the continual photographing operation (col. 5, lines 40-43, line 49, and lines 63-66; col. 12, lines 35-36).

10 Regarding claim 4, Anderson teaches the image processor deletes a plurality of images (col. 10, lines 25-38 and 45-51) because a video clip (a plurality of images) can be marked and deleted. Furthermore, it is inherent that when a video clip is deleted the plurality of images contained in the video clip are deleted continuously.

Regarding claim 5, Anderson teaches the continual-image determination
15 processor determines whether the plurality of images are obtained in the continual photographing operation (col. 12, lines 29-36; Fig. 1, element 112), by reading image recording information recorded for each of the plurality of images (col. 5, lines 63-col. 6, line 1).

Regarding claim 6, Anderson teaches the image recording information comprises
20 a continual-image flag recorded in a header area corresponding to an image recording area in which an image is recorded (col. 5, lines 63-col. 6, line 1) because an MPEG file

may contain sequence start and end codes in the MPEG video header that designate a sequence of images to be displayed.

Regarding claim 7, Anderson teaches the continual photographing operation is performed by an electronic still camera (Fig. 1, element 100).

5 Regarding claim 8, Anderson teaches a continual-image processing device (Fig. 1) comprising: a continually recording processor that continually records a plurality of images at a predetermined interval (col. 5, lines 40-43, line 49, and lines 63-66); and an image processor that continually performs a common operation on the plurality of images (col. 12, lines 35-36; Fig. 1, element 112).

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Jelinek whose telephone number is (703) 305-4724. The examiner can normally be reached on M-F 8:00 am - 4:00 pm.


15 If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on (703) 308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2615

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

- 5 For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

10 Brian Jelinek
9/17/2004



ANDREW CHRISTENSEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

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